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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/032,996	12/27/2001	David Botstein	GNE.2930R1C3	9529

7590 03/14/2006

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EXAMINER
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FREDMAN, JEFFREY NORMAN

ART UNIT	PAPER NUMBER
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1637

DATE MAILED: 03/14/2006

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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**Commissioner for Patents**

The information disclosure statement (IDS) submitted on July 25, 2005 was filed after the mailing date of the final rejection on April 25, 2005. The information disclosure statement fails to comply with 37 CFR 1.97(c) because it lacks a statement as specified in 37 CFR 1.97(e). The information disclosure statement also fails to comply with 37 CFR 1.97(c) because it lacks the fee set forth in 37 CFR 1.17(p). It has been placed in the application file, but the information referred to therein has not been considered.

  
Jeffrey Fredman  
Primary Examiner  
Art Unit 1637

3/14/06

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Application No. 10/032,996  
 Filing Date December 27, 2001  
 First Named Inventor Botstein, et al.  
 Art Unit 1647  
 Examiner Fredman, J.  
 Attorney Docket No. GNE.2930R1C3

(Multiple sheets used when necessary)

SHEET 1 OF 4

## U.S. PATENT DOCUMENTS

Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
	1	6,025,156	02-15-2000	Gwynn, et al.	
	2	6,124,433	09-26-2000	Falb, et al.	
	3	6,156,500	12-05-2000	Falb, Dean	
	4	6,162,604	12-19-2000	Jacob, Chaim O.	
	5	6,228,582	05-08-2001	Rodier, et al.	
	6	6,395,306	05-28-2002	Cdi, et al.	
	7	6,414,117	07-02-2002	Levinson, D. A.	
	8	6,465,185	10-15-2002	Goldfine, et al.	
	9	6,498,235	12-24-2002	Sheppard, et al.	
	10	6,562,343	05-13-2003	Levinson, D. A.	
	11	6,645,499	11-11-2003	Lal, et al.	
	12	6,730,502	05-04-2004	Van Hijum, et al.	
	13	6,737,522	05-18-2004	Sundick, et al.	

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No.	Foreign Patent Document Country Code-Number-Kind Code Example: JP 1234567 A1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>1</sup>
	14	WO 97/38085	10-16-1997	California Pacific Medical Center		

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>1</sup>
	15	ALBERTS, et al. 1994. <i>Molecular Biology of the Cell</i> , 3rd Edition, pp. 403-404, 453. New York: Garland Publishing.	
	16	ALBERTS, et al. 2002. <i>Molecular Biology of the Cell</i> 4th Edition, pp. 302, 363-364, 379, 435. New York: Garland Publishing.	
	17	ALITALO 1984. Amplification of cellular oncogenes in cancer cells. <i>Med. Biol.</i> , 62:304-317	
	18	ALLMAN, et al. 1996. BCL-6 expression during B-cell activation. <i>Blood</i> , 87(12):5257-5268.	
	19	BANHASSY, et al. 2004. Cyclin A and cyclin D1 as significant prognostic markers in colorectal cancer patients. <i>BMC Gastroenterology</i> , 4:22-34.	

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Date Considered

3/14/06

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Multiple sheets used when necessary)

SHEET 2 OF 4

Application No.	10/032,996
Filing Date	December 27, 2001
First Named Inventor	Botstein, et al.
Art Unit	1647
Examiner	Fredman, J.
Attorney Docket No.	GNE.2930R1C3

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>1</sup>
	20	BIECHE, et al. 1998. Novel Approach to Quantitative Polymerase Chain Reaction Using Real-Time Detection: Application to the Detection of Gene Amplification in Breast Cancer. <i>Int. J. Cancer</i> , 78:661-666.	
	21	BLANCATO, et al. 2004. Correlation of amplification and overexpression of the c-myc oncogene in high-grade breast cancer. FISH, <i>in situ</i> hybridization and immunohistochemical analyses. <i>British Journal of Cancer</i> , 90(8), 1612-1619.	
	22	CHEN, et al. 2002. Discordant protein and mRNA expression in lung adenocarcinomas. <i>Molecular &amp; Cellular Proteomics</i> 1.4, pp. 304-313.	
	23	Database search, Locus list: hum (349, 801 seqs, 66, 964, 548 aa), Mon Jan 7 16:12:49 2002 [BLASTP 2.2.1 [Jul-12-2001], NCBI]	
	24	Database search, Locus list: hum - est (1, 803, 435 seqs, 6, 559, 376, 613 bp), Tue Jan 8 09:15:52 2002 [BLASTN 2.2.1 [Jul-12-2001], NCBI]	
	25	FESSLER, et al. 2002. A genomic and proteomic analysis of activation of the human neutrophil by lipopolysaccharide and its mediation by p38 mitogen-activated protein kinase. <i>The Journal of Biological Chemistry</i> , 277(35):31291-31302.	
	26	FU, et al. 1996. Translational regulation of human p53 gene expression. <i>The EMBO Journal</i> , 15(16):4392-4401.	
	27	GÖKMEN-POLAR, et al. 2001. Elevated protein kinase C $\beta$ II is an early promotive event in colon carcinogenesis. <i>Cancer Research</i> , 61:1375-1381.	
	28	GRIMALDI, et al. 1989. The t(5;14) chromosomal translocation in a case of acute lymphocytic leukemia joins the interleukin-3 gene to the immunoglobulin heavy chain gene. <i>Blood</i> , 73(8):2081-2085.	
	29	GYGI, et al. Mar. 1999. Correlation between Protein and mRNA Abundance in Yeast. <i>Molecular and Cellular Biology</i> , 17:20-1730.	
	30	HANASH, S. 2003. Making sense of microarray data to classify cancer. <i>The Pharmacogenomics Journal</i> , 3:308-311.	
	31	HANASH, S. March 2005. Integrated global profiling of cancer. <i>Nature Reviews, Applied Proteomics Collection</i> , pp. 9-14.	
	32	HANCOCK, W. S. 2004. Do we have enough biomarkers? <i>Journal of Proteome Research</i> , 3(4):685.	
	33	HANNA, et al. Aug. 1999. HER-2/neu breast cancer predictive testing. <i>Pathology Associates Medical Laboratories</i> .	
	34	HAYNES, et al. 1996. Proteome analysis: Biological assay or data archive? <i>Electrophoresis</i> , 19:1862-1871.	
	35	HEID, et al. 1996. Real Time Quantitative PCR. <i>Genome Res.</i> 6:986-994.	
	36	HIGUCHI, et al. April 1992. Simultaneous Amplification and Detection of Specific DNA Sequences. <i>Biotechnology</i> , 10:413-417.	
	37	HU, et al. 2003. Analysis of genomic and proteomic data using advanced literature mining. <i>Journal of Proteome Research</i> , 2:405-412.	

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Date Considered

3/14/04

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STATEMENT BY APPLICANT

(Multiple sheets used when necessary)

SHEET 3 OF 4

Application No.	10/032,996
Filing Date	December 27, 2001
First Named Inventor	Botstein, et al.
Art Unit	1647
Examiner	Fredman, J.
Attorney Docket No.	GNE.2930R1C3

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>1</sup>
	38	<del>HYMAN et al. Nov. 2002. Impact of DNA Amplification of Gene Expression Patterns. <i>Cancer Research</i>, 62:6240-6245.</del>	
	39	<del>JANG, et al. 1997. An examination of the effects of hypoxia, acidosis, and glucose starvation on the expression of metastasis-associated genes in murine tumor cells. <i>Clin. Exp. Metastasis</i>, 15(5):469-483. (Abstract).</del>	
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	42	<del>LEWIN, B. 1997. Regulation of Transcription, Chap. 29, pp. 847-848. <i>Genes VI</i>. New York: Oxford University Press.</del>	
	43	<del>LIVAK, et al. 1995. Oligonucleotides with Fluorescent Dyes at Opposite Ends Provide a Quenched Probe System Useful for Detecting PCR Product and Nucleic Acid Hybridization. <i>PCR Methods Appl</i> 4:357-362.</del>	
	44	<del>MEEKER, et al. 1990. Activation of the Interleukin-3 gene by chromosome translocation in acute lymphocytic leukemia with eosinophilia. <i>Blood</i>, 76(2):285-289.</del>	
	45	<del>MERIC, et al. 2002. Translation initiation in cancer: A novel target for therapy. <i>Molecular Cancer Therapeutics</i>, 1:971-979.</del>	
	46	<del>MERLINO, et al. 1985. Elevated Epidermal Growth Factor Receptor Gene Copy Number and Expression in a Squamous Carcinoma Cell Line. <i>J. Clin. Invest.</i>, 75:1077-1070</del>	
	47	<del>OHARA, et al. 2001. Directional cDNA library construction assisted by the <i>in vitro</i> recombination reaction. <i>Nucleic Acids Research</i>, 29(4):e22 p. 1-8.</del>	
	48	<del>ØRNTOFT, et al. 2002. Genome-wide study of gene copy numbers, transcripts, and protein levels in pairs of non-invasive and invasive human transitional cell carcinomas. <i>Molecular &amp; Cellular Proteomics</i>, 1:37-45.</del>	
	49	<del>PENNICA, et al. 1998. WISP genes are members of the connective tissue growth factor family that are up-regulated in Wnt-1 transformed cells and aberrantly expressed in human colon tumors. <i>Proc. Natl. Acad. Sci. USA</i> 95(25):14717-14722.</del>	
	50	<del>PITTI, et al., 1998. Genomic amplification of a decoy receptor for Fas ligand in lung and colon cancer. <i>Nature</i>, 395(6712):699-703.</del>	
	51	<del>POLLACK, et al. 2002. Microarray analysis reveals a major direct role of DNA copy number alteration in the transcriptional program of human breast tumors. <i>PNAS</i>, 99(20):12963-12968.</del>	
	52	<del>POWELL, et al. 1998. Expression of cytochrome P4502E1 in human liver: Assessment by mRNA, genotype and phenotype. <i>Pharmacogenetics</i>, 8:411-421. (Abstract).</del>	
	53	<del>SINGLETON, et al. 1992. Clinical and pathologic significance of the <i>c-erbB-2</i> (<i>HER-2/neu</i>) oncogene. <i>Pathol. Annu.</i>, 1(27):165-190.</del>	
	54	<del>TOKUNAGA, et al. 2000. Application of quantitative RT-PCR using "TaqMan" technology to evaluate the expression of <i>CK-18</i> mRNA in various cell lines. <i>J. Exp. Clin. Cancer Res.</i>, 19(3):375-381.</del>	
	55	<del>VALLEJO, et al. 2000. Evidence of tissue-specific, post-transcriptional regulation of <i>NRF-2</i> expression. <i>Biochimie</i>, 82(12):1129-1133. (Abstract).</del>	

Examiner Signature

Date Considered

Shulz

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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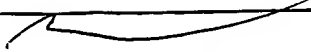


PTO/SB/08 Equivalent

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Multiple sheets used when necessary)	Application No.	10/032,996
	Filing Date	December 27, 2001
	First Named Inventor	Botstein, et al.
	Art Unit	1647
SHEET 4 OF 4	Examiner	Fredman, J.
	Attorney Docket No.	GNE.2930R1C3

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>1</sup>
	56	WANG, et al. 1996. mRNA Differential display: Application in the discovery of novel pharmacological targets. <i>Trends Pharmacol. Sci.</i> , 17(8):276-279.	
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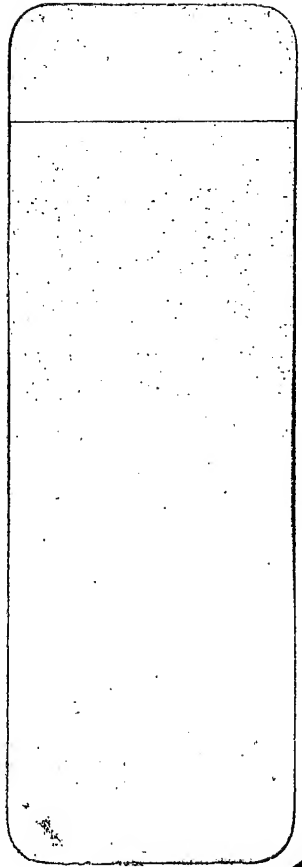
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